REMARKS

Claims 1-105, 111-113, 119-121, and 127 were pending and stand rejected. Claims 1-34, 40, 44, 69, 75, 79, 104, 112, and 120 have been amended. Claims 10, 43, 78, 105, 111, 113, 119, 121, and 127 have been cancelled. Claims 1-9, 11-42, 44-77, 79-104, 112, and 120 are pending upon entry of this amendment.

On May 13, 2008, the Examiner, the Examiner's supervisor, and the undersigned attorney had a telephone interview during which they discussed claim 1, claim 30, Zhao, and Greenfield. No agreement was reached. The content of the discussion is contained herein.

Rejection under 35 U.S.C. § 101

Claims 1-33 were rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claim 1, which used to recite a "user interface," has been amended to recite a "system … comprising: an output device for displaying a timeline display …; and an input device for receiving user input." Claim 30, which used to recite a "user interface," has been amended to recite a "system … comprising an output device for displaying: a canvas …; and a timeline display representing a duration of the project." Claims 1 and 30 (as amended) are directed to statutory subject matter and comply with 35 U.S.C. § 101. The remaining claims depend from claims 1 or 30 and also comply with 35 U.S.C. § 101.

Claims 1, 34, and 69

Claims 1-16, 25, 34-50, 60, 69-85, and 95 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Zhao in view of Greenfield. Applicants respectfully traverse.

As amended, claim 1 recites:

A system for editing a project comprising a plurality of media clips, comprising:
an output device for displaying a timeline display, the timeline display comprising:

> an overview layer comprising first editable representations of at least a subset of the plurality of media clips that comprise the project, wherein the overview layer is oriented along an axis representing time, and wherein each first editable representation has a dimension along the first axis representing the temporal length of the media clip; and
>
> for each media clip, a track comprising a second editable representation of the media clip, wherein the track is oriented along the axis representing time, and wherein the second editable representation has a dimension along the first axis representing the temporal length of the media clip, and wherein the track and the overview layer are concurrently displayed; and
>
> an input device for receiving user input for editing the representations of the media clips and for controlling the timeline display, wherein editing a representation of a media clip manipulates the media clip.

As recited in claim 1, a "project" comprises a plurality of media clips (¶40). A system for editing the project comprises an output device (for displaying a timeline display) and an input device (for receiving user input). The timeline display (¶¶48-50; see element 403 in FIG. 5) comprises an overview layer (¶48; see element 400 in FIG. 5) and, for each media clip, a track (¶48; see elements 500A, 500B, 500C, 500D in FIG. 5). The overview layer and tracks each comprise an editable representation of a media clip (¶48; see elements 401A, 401B, 401C, 401D in FIG. 5). The overview layer and tracks are each oriented along an axis representing time. Each editable representation has a dimension along the first axis representing the temporal length of the media clip.

The input device is used to edit a representation of a media clip, and editing a representation of a media clip manipulates the media clip itself (¶48). For example, by manipulating editable representations of clips, a user can organize clips to begin and end on selected frames (¶40). The user can also control clips' durations and perform trim operations to edit the clips (¶40). The user can interact with editable representations of clips to lengthen or shorten clips, move clips around, edit clips, or delete clips (¶47).

Neither Zhao nor Greenfield discloses, teaches, or suggests the claimed element "an overview layer comprising first editable representations of at least a subset of the plurality of

media clips that comprise the project, wherein the overview layer is oriented along an axis representing time, and wherein each first editable representation has a dimension along the first axis representing the temporal length of the media clip" wherein "editing a representation of a media clip manipulates the media clip."

Zhao discusses a video editing graphical user interface with layer view (title). Zhao's user interface includes a first view area 112 (which is used to select the clips that make up the tracks of the video story; 3:1-3; FIG. 1) and a second view area 102 (which is used to arrange the clips to construct the tracks of the video story; 3:8-10; FIG. 1). First view area 112 can display media pane 612 (3:15-17; FIG. 6), and second view area 102 can display layer pane 400 (4:9-14). Media pane 612 is an interface to a library of media items (each item represented by a thumbnail image) that enables a user to access a media item and add it to a video story. For example, to add a video clip, the user drags and drops the video clip (thumbnail image) from media pane 612 into layer pane 400 (4:46-47). Within layer pane 400, video clips can be moved to different timeslots (4:48-53).

The Examiner argues that Zhao's media pane corresponds to the claimed element "an overview layer comprising first editable representations of at least a subset of the plurality of media clips that comprise the project…" and Zhao's layer pane corresponds to the claimed element "for each media clip, a track…" (Detailed Action, pp. 3-4). Specifically, the Examiner argues that the thumbnail images shown in the media pane 612 (FIG. 6) correspond to the claimed element "first editable representations of … media clips."

Claim 1 recites "wherein the overview layer is oriented along an axis representing time, and wherein **each first editable representation has a dimension along the first axis representing the temporal length of the media clip**" (emphasis added). In Zhao's media pane 612, all of the thumbnail images are the same size, regardless of the length of the video clips that

they represent. Thus, Zhao's thumbnail images do not have a dimension representing the temporal length of the media clip.

During the interview, the Examiner agreed that Zhao's thumbnail images do not have a dimension representing the temporal length of the media clip.

It follows that Zhao does not disclose, teach, or suggest the claimed element "an overview layer comprising first editable representations of at least a subset of the plurality of media clips that comprise the project, wherein the overview layer is oriented along an axis representing time, and wherein each first editable representation has a dimension along the first axis representing the temporal length of the media clip" wherein "editing a representation of a media clip manipulates the media clip."

Greenfield does not remedy this deficiency. Greenfield discusses creating, editing, and displaying works that include textual components, such as books, screenplays, and speeches (abstract). Each textual component has a "presentation metric" associated with it, where the presentation metric is the time that passes when the component is delivered to the intended audience (abstract). For example, the presentation metric of a screenplay component (e.g., one scene) is defined as the screen time allocated to the component when it is filmed (1:44-47).

In Greenfield's FIG. 1, timeline 101 represents a screenplay, and a component (referred to as an "event") is represented by a bar whose horizontal dimension represents the event's presentation metric (screen time) (4:6-14). The bar can be graphically manipulated based on user input (e.g., resized, moved, deleted, and created) (6:16-20). Each bar can be associated with a content window, which displays the current content of the event to a user and enables the user to create, edit, and modify the event's content (9:5-9). A content window can contain textual, graphical, video, and/or audio content (9:45-47).

The Examiner argues that the bars in FIG. 1 (such as the bar representing Act 1 and the bar representing Act 2) correspond to the claimed element "first editable representations of … media clips" (Detailed Action, p. 3). Claim 1 states that "editing a representation of a media clip manipulates the media clip." In Greenfield, editing a bar (e.g., resizing it or moving it) does not affect its content window or the content displayed within it (9:3-10:11). Thus, editing a bar in Greenfield does not manipulate a media clip.

During the interview, the Examiner stated that he would review Greenfield regarding the effects of editing a bar.

It follows that Greenfield does not disclose, teach, or suggest the claimed element "an overview layer comprising first editable representations of at least a subset of the plurality of media clips that comprise the project, wherein the overview layer is oriented along an axis representing time, and wherein each first editable representation has a dimension along the first axis representing the temporal length of the media clip" wherein "editing a representation of a media clip manipulates the media clip."

Therefore, claim 1 (as amended) is not obvious over Zhao in view of Greenfield. Claims 34 and 69 (as amended) recite similar language and are therefore also not obvious over Zhao in view of Greenfield.

CLAIMS 30, 65, and 100

Claims 30-33, 65-68, and 100-103 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Greenfield in view of Foreman. Applicants respectfully traverse.

During the interview, the undersigned attorney explained the meaning of claim 30. The 103(a) rejection was not discussed.

As explained above, claim 30 has been amended to recite a "system" rather than a "user interface." The rest of claim 30 has not been amended. As amended, claim 30 recites:

A system for editing a project comprising a plurality of media clips, comprising an output device for displaying:

a canvas, comprising a representation of the project, wherein the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project, and wherein a location of a spatially movable representation represents where the media clip is displayed within the project; and

a timeline display representing a duration of the project, the timeline display comprising, for each currently selected representation of a media clip in the canvas, a timeline representation of the media clip;

wherein the timeline display is activated in response to at least one spatially movable representation being selected, and wherein the timeline display is deactivated in response to no spatially movable representation being selected.

As recited in claim 30, a "project" comprises a plurality of media clips, and a "canvas" comprises a representation of the project (¶40; see element 1601 in FIGS. 16 and 19). The representation of the project comprises a plurality of selectable and spatially movable representations of media clips (¶81). A location of a spatially movable representation represents *where* (in two-dimensional space) the media clip is displayed within the project. For example, the location of the text object "tanzania" in FIG. 16 (shown surrounded by a rectangle with four circles) represents *where* (in two-dimensional space) the text object media clip is displayed within the project "The Serengeti."

Note that a project can display multiple media clips simultaneously. For example, the timeline display portion of FIG. 19 (element 403) shows representations of media clips that overlap in time (e.g., the "tanzania" text object and the "the serengeti" text object). These media clips are also shown in the canvas portion of FIG. 19 (element 1601). Also, the multiple media clips can be positioned so that they don't overlap each other. The representation of the project in the canvas is two-dimensional so that different media clips can be positioned relative to each

other in two dimensions. Within the canvas, the location of a media clip representation represents *where* (in two-dimensional space) the media clip is displayed within the project.

A "timeline display" (miniature timeline, ¶¶82-86; see element 1603 in FIGS. 16-19) represents the entire duration of the project. The timeline display comprises, for each selected representation of a media clip in the canvas, a "timeline representation" of the media clip. In one embodiment, a timeline representation of a media clip is a rectangle (e.g., the rectangle containing the phrase "elephant silhouette" in FIG. 17). The timeline display is automatically displayed when the user selects an object having a temporal component in the canvas (¶83). One example of an object that has been selected in the canvas is the text object "tanzania", which is shown surrounded by a rectangle with four circles in FIG. 16.

Neither Greenfield nor Foreman discloses, teaches, or suggests the claimed element "a canvas, comprising a representation of the project, wherein the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project, and wherein **a location of a spatially movable representation represents *where* the media clip is displayed within the project**" (emphasis added). Applicants note that these claimed elements were present in claim 30 as previously pending. Specifically, these elements were not added in the current amendment. Thus, the current amendment was not made in order to overcome Greenfield and Foreman.

The Examiner argues that FIG. 1 in Greenfield shows the claimed element "a canvas" (Detailed Action, p. 22). Specifically, the Examiner states that "[b]y moving a media clip representation from one act to another, the media clip would be displayed in the second act instead of the previous act" (Detailed Action, p. 22). While this statement might be true, it concerns when (in time) a media clip is displayed within a project, not where (in two-dimensional space) the media clip is displayed within the project. Claim 30 recites "wherein a

location of a spatially movable representation represents where the media clip is displayed within the project." FIG. 1 in Greenfield describes when each event (represented by a bar) occurs relative to other events and relative to a time scale 111 (the top part of FIG. 1, labeled as "Presentation Time"). Greenfield does not disclose, teach, or suggest where (in two-dimensional space) a media clip is displayed within a project, let alone that this value is represented by a location of a spatially movable representation.

Thus, Greenfield does not disclose, teach, or suggest the claimed element "a canvas, comprising a representation of the project, wherein the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project, and wherein a location of a spatially movable representation represents where the media clip is displayed within the project."

Foreman does not remedy this deficiency. Foreman discusses a graphical user interface for a video editing system (title). Foreman's user interface includes four alternatively selectable interfaces (¶8): a first interface for preparing a plan describing a video program to be edited (Storyboard – FIG. 5), a second interface for receiving video information (Bring Video In – FIG. 8), a third interface for editing video information (Edit Movie – FIGS. 9-13), and a fourth interface for outputting video information (Send Movie Out – FIG. 14).

In Foreman's editing interface, a timeline region 160 includes a representation of a timeline, an associated title track, an additional audio track, and a soundtrack (¶54; FIG. 9). Assume, *arguendo*, that an element (e.g., element 170 in FIG. 9) that is displayed in the timeline region corresponds to the claimed element "selectable and spatially movable representation[]" of a media clip. The location of the element in the timeline region represents a time period during which the element is presented (¶54). In other words, a clip location in Foreman represents *when* (in time) a clip is displayed, rather than *where* (in two-dimensional space) a clip is displayed (as

recited in claim 30). Foreman does not disclose, teach, or suggest where (in two-dimensional space) a media clip is displayed within a project, let alone that this value is represented by a location of a spatially movable representation.

Thus, Foreman does not disclose, teach, or suggest the claimed element "a canvas, comprising a representation of the project, wherein the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project, and wherein a location of a spatially movable representation represents where the media clip is displayed within the project."

Therefore, claim 30 is not obvious over Greenfield in view of Foreman, alone and in combination. Claims 65 and 100 recite similar language and are therefore also not obvious over Greenfield in view of Foreman, alone and in combination.

CLAIMS 104, 112, and 120

Claims 104, 111-112, 119-120, and 127 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Zhao in view of Fasciano further in view of Reder. Applicants respectfully traverse. As amended, claim 104 recites:

In a media editing application, a method of moving a media clip to a destination location, wherein a second media clip already exists at the destination location, comprising:
receiving a user command to drag the media clip to the destination location; and
displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command;
wherein the composite command composites the dragged media clip with the second media clip; and wherein the exchange command:
replaces the entire second media clip with the entire dragged media clip responsive to the second media clip having a length equal to the length of the dragged media clip;
replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip responsive to the second media clip having a length less than the length of the dragged media clip; and

replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the entire dragged media clip responsive to the second media clip having a length greater than the length of the dragged media clip.

As recited in claim 104, "a method of moving a media clip to a destination location" includes receiving a user command to drag the clip to the destination location. In response to receiving the user command and in response to no time period having been selected, a drop menu is displayed. The drop menu comprises a plurality of commands that enables the user to choose how to integrate the dragged media clip at the destination location. The plurality of commands can include a composite command (¶59) and an exchange command (¶63). The composite command composites the dragged media clip with the second media clip (¶59).

The exchange command changes its behavior based on the length of the dragged media clip and the length of the second media clip (¶63). Specifically, if the clips are of equal length, then the exchange command replaces the entire second media clip with the entire dragged media clip. If the dragged media clip is longer than the second media clip, then the exchange command replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip. If the second media clip is longer then the dragged media clip, then the exchange command replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the entire dragged media clip.

Zhao, Fasciano, and Reder do not disclose, teach, or suggest the claimed element "displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command" wherein "the composite command composites the dragged media clip with the second media clip" and wherein "the exchange command: replaces the entire second media clip with the entire dragged media clip responsive to

the second media clip having a length equal to the length of the dragged media clip; replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip responsive to the second media clip having a length less than the length of the dragged media clip; and replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the entire dragged media clip responsive to the second media clip having a length greater than the length of the dragged media clip" (emphasis added).

Applicants agree with the Examiner that Zhao does not disclose, teach, or suggest displaying, in response to receiving the user command, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location (Detailed Action, p. 14). It follows that Zhao also does not disclose, teach, or suggest the claimed element "displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command."

Reder does not remedy this deficiency. Reder discusses a method of customizing a graphical user interface having one or more command structures (such as toolbars) by modifying the structures using a drag-and-drop procedure (abstract). Reder does not disclose, teach, or suggest media clips, let alone commands for integrating a media clip. Thus, Reder does not disclose, teach, or suggest the claimed element "displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command."

Fasciano does not remedy this deficiency. Fasciano discusses a digital sound editing application for editing within a timeline. A "place/replace" mode setting menu indicates the current placement mode (FIG. 3). Depending on the placement mode, different commands are accessible in a drop menu (button 124 in FIG. 3). When no region in the timeline has been selected, the placement mode is "place," but when a region in the timeline has been selected, the placement mode is "replace" (6:39-49). Claim 104 recites, in part, "in response to no time period having been selected." In Fasciano, if no time period (e.g., timeline region) has been selected, then the placement mode is "place." If the placement mode is "place" in Fasciano, then one of the following edits is performed: overwrite placement, track insert placement, or clip insert placement (11:20-24). As explained in the Response filed November 29, 2007, overwrite placement, track insert placement, and clip insert placement correspond to neither a composite command nor an exchange command.

The Examiner argues that Fasciano's overwrite placement corresponds to the claimed element "exchange command" (Detailed Action, p. 25). Claim 104 (as amended) states that the exchange command changes its behavior based on the length of the dragged media clip and the length of the second media clip. In Fasciano's overwrite placement, the clip that is dragged into the timeline merely overwrites the current material (the "second media clip") (11:25-26; FIG. 10A). Fasciano does not disclose, teach, or suggest an edit that changes its behavior based on the length of the dragged media clip and the length of the current material (the "second media clip").

Thus, Fasciano does not disclose, teach, or suggest the claimed element "displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command" wherein "the composite command composites the

dragged media clip with the second media clip" and wherein "the exchange command: replaces the entire second media clip with the entire dragged media clip responsive to the second media clip having a length equal to the length of the dragged media clip; replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip responsive to the second media clip having a length less than the length of the dragged media clip; and replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the entire dragged media clip responsive to the second media clip having a length greater than the length of the dragged media clip" (emphasis added).

Therefore, claim 104 (as amended) is patentable over Zhao, Fasciano, and Reder, alone and in combination. Claims 112 and 120 (as amended) recite similar language and are therefore also patentable over Zhao, Fasciano, and Reder, alone and in combination.

OTHER CLAIMS

Claims 17, 21-24, 51, 56-59, 86, 91-94 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhao in view of Greenfield further in view of Fasciano. Claims 18-20, 52-55, and 87-90 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhao in view of Greenfield further in view of Fasciano further in view of Foreman. Claims 105, 113, and 121 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Zhao in view of Fasciano further in view of Reder further in view of Foreman. Claims 26-29, 61-64, and 96-99 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Zhao in view of Greenfield further in view of Foreman.

Applicants respectfully traverse. In addition, Applicants traverse the Examiner's assertions regarding the disclosures of Zhao, Greenfield, Fasciano, Foreman, and Reder and the

motivation to combine Zhao, Greenfield, and Fasciano; Zhao, Greenfield, Fasciano, and Foreman; Zhao, Fasciano, Reder, and Foreman; and Zhao, Greenfield, and Foreman.

The claims not specifically mentioned above depend from their respective base claims, which were shown to be patentable over Zhao in view of Greenfield, Greenfield in view of Foreman, and Zhao in view of Fasciano further in view of Reder. In addition, these claims recite other features not included in their respective base claims. Thus, these claims are patentable for at least the reasons discussed above, as well as for the elements that they individually recite.

Applicants respectfully submit that the pending claims are allowable over the cited art of record and request that the Examiner allow this case. The Examiner is invited to contact the undersigned in order to advance the prosecution of this application.

Respectfully submitted,
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